

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

CLYDELL CUMMINGS

CIVIL ACTION NO. 13-2935

VERSUS

JUDGE S. MAURICE HICKS, JR.

N. BURL CAIN

MAGISTRATE JUDGE PEREZ-MONTES

JUDGMENT

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, and after independent (*de novo*) review of the record including the objections filed herein, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that Petitioner Clydell Cummings' habeas petition be and is **DENIED AND DISMISSED WITH PREJUDICE.**

Rule 11 of the Rules Governing Section 2254 Proceedings for the U.S. District Courts requires the district court to issue or deny a certificate of appealability when it enters a final order adverse to the applicant. The court, after considering the record in this case and the standard set forth in 28 U.S.C. Section 2253, denies a certificate of appealability because the applicant has not made a substantial showing of the denial of a constitutional right.

THUS DONE AND SIGNED in Shreveport, Louisiana, this 10th day of March, 2017.



S. MAURICE HICKS, JR.
UNITED STATES DISTRICT JUDGE